

MINUTES

The Tennessee State Board of Barber Examiners held a meeting on March 17, 2008 at 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: J. B. Loring, President, JaSanto Williams, Vice-President, Cecil Groce, Vernon Winfrey and Joe Jones.

Others present were: Beverly Waller, Executive Director, Terrance Bond, Staff Attorney and Debbie Gean, Administrative Assistant.

J. B. Loring, President asked all to join in prayer.

J. B. Loring, President asked all to stand for the pledge of allegiance.

J. B. Loring, President asked for a roll call.

J. B. Loring welcomed and introduced Terrance Bond, Staff Attorney.

MINUTES

MOTION was made by Mr. Cecil Groce and seconded by Mr. JaSanto Williams to approve the minutes from the December 17, 2007. Motion carried unanimously.

APPEAR BEFORE THE BOARD

Suzanne Dailey - PSI Account Manager – Present. Ms. Dailey stated that Ms. Shonell Griffith and Lynn Thomas were not present due to being in training with six new barber raters. The representative is present today at the request of the board concerning barber examinations and the fact the board was without a barber rater for a period of time and caused a delay in barber examinations. The board approved a Texas raters to administer the barber examination until PSI could hire Tennessee licensees and train them as raters. Ms. Dailey stated this situation will not happen again as long as she is in charge. She stated that the testing company should have never been in this position. Mr. Cecil Groce stated that the board will not tolerate this happening again. Mr. Groce stated that if it does happen again that if he has anything to do with it the contract with PSI will be cancelled. The board thanked Ms. Dailey for being present today.

Gateway Barber & Beauty College was inspected for opening as a new school by Ms. Beverly Waller, Executive Director and Terry Barnes, Inspector on December 27, 2008. The school was in compliance and was given approval to open. The board needs to give a final approval.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to approve opening of the Gateway Barber & Beauty College. Motion carried unanimously.

An application for a new barber school “Styles Barber College” to be located at 5252 Hickory Hollow Pkwy, Suite 1001, Antioch, Tennessee was submitted to the office. This school will be located inside the Hickory Hollow Mall. The floor plan was submitted.

Mr. Charles Chambers, owner and manager of the school was present to discuss the school with the board members.

Mr. Chambers explained to the board the proposed location of the school. The school is now a large Barber/Cosmetology Shop. He will be moving the shop downstairs in another location at the mall. After he has relocated the Barber/Cosmetology Shop he will begin preparing that location for a barber school.

MOTION was made by Mr. Joe Jones and seconded by Mr. JaSanto Williams to have Mr. Vernon Winfrey, Board Member and Ms. Barbara Hendrix, Inspector to inspect the school. Motion carried unanimously.

An application for change of ownership and change of name for International Barber & Styling College located in Madison, Tennessee was submitted to the office. The new name will be Another Look Barber & Styling Academy, with Tomaris Hambrick, as new owner.

MOTION was made by Mr. Cecil Groce and seconded by Mr. JaSanto Williams to accept the change of ownership and change of name. Motion carried unanimously.

An application for change of name for Dudley Nwani The School, located at 3744 Annex Ave., Nashville to International Barber & Styling College LLC was submitted to the office.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the change of name. Motion carried unanimously.

An application for reciprocity of master barber license from Mr. Derrel George Jordan from Alabama was submitted to the board. Master barber education is 1,500 hours at John C. Calhoun Community College in Alabama. Mr. Jordan completed the curriculum in 1971. Mr. Jordan has a business license for a shop named Derrel’s Barber Shop in Gadsden, Alabama. Alabama does not have a state barber board.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to take the master barber examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of master barber license from Danny Earl Stone from Alabama was submitted to the board. Mr. Stone is a practicing barber in Fort Payne, Alabama where he is a shop owner for more than 25 years. Mr. Stone sent several copies of his business license for the years.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to take the master barber examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

A copy of the contract with PSI for barber examinations was presented to the board members. The Board requested Ms. Waller provide them with copies for discussion, since we have had problems with examinations.

For the board information statistics as to the percentage of barber candidates that pass or fail (retake) the barber examination by examination site was provided. This report covers dates of January 1, 2007 thru December 20, 2007. Also, the statistical summary covering same period for the different types of barber examinations was provided.

A newspaper article concerning barbers bringing back the steaming hot towels and shave was provided to the board members.

The dates for the Barber/Cosmetology Instructor Seminars in Tennessee and the agenda's for each seminar were provided to the board members. Mr. JaSanto Williams will attend the Memphis seminar, Mr. Cecil Groce will attend the Knoxville seminar and Mr. Vernon Winfrey will attend the Nashville seminar.

A request from the Executive Director/Registrar of the New Brunswick Registered Barber's Association/Board of Barber Examiners of New Brunswick was emailed to Ms. Waller. The barber board in New Brunswick had previously been combined with the cosmetology board and they are now separated. They would like Tennessee to consider a possible reciprocal agreement. The hours required in New Brunswick are 1,500 school hours over a minimum of 38 weeks and an additional 2 year apprenticeship with a minimum of 1,500 hours and must pass both a written and practical examination. (Shaving is mandatory in New Brunswick to pass the examination.)

The board stated yes they would accept the reciprocal agreement.

Winter Edition-National Association of barber Boards of America "Barber Clips" pamphlet was provided to the board members.

An application for a new barber school "Barber School and Company" located at 112 S. Church St., Murfreesboro. TN was submitted to the office. Mike Davis will be the owner and Penny Heath, will be the school manager. A floor plan was provided.

MOTION was made by Mr. Joe Jones and seconded by Mr. Cecil Groce to have Mr. Vernon Winfrey, Board Member and Mr. Terry Barnes, Inspector to inspect the school. If Mr. Winfrey is not available Ms. Waller will inspect with Mr. Barnes. Motion carried unanimously.

A request for an extension from the 2007 barber instructor seminar from Mr. Hanalei Harris was submitted to the office. Mr. Harris submitted documents that he was at Air Education and Training Command with the United States Air Force from June 9, 2007 to August 5, 2007. He is requesting an extension from the 2007 seminar and would like to attend seminars in 2008 and 2009 to get back on track.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to remove the instructor status until Mr. Harris attends the 2008 seminar. Motion carried unanimously.

Ms. Waller informed the board members she would be attending the barber rating training and would update the board at the next meeting.

Consent orders totaled \$500.00.

Kuttin Edge Barber Shop
1533 Bonnie Lane
Cordova, TN 38016

Violation issued March 2, 2007
Pd \$500.00 on 12-5-07

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the consent orders. Motion carried unanimously.

STAFF ATTORNEY REPORT

1. Case No. L-08-BAR-RBS-200800544-1

February 22, 2008 Notice of Violation provides that the Inspector observed the shop owner working in the shop before the shop had been inspected.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$250.00 civil penalty

MOTION was made by Mr. Cecil Groce and seconded by Mr. JaSanto Williams to accept the recommendation. Motion carried unanimously.

2. Case No. L-08-BAR-RBS-200800550-1

February 7, 2008 Notice of Violation provides that the Inspector observed practicing barbering without a shop or personal license.

MOTION was made by Mr. JaSanto Williams and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

Recommendation: Authorize formal hearing with authority to settle by Consent Order (with a Cease and Desist instruction) and \$2,000 civil penalty

3. Case No. L-08-BAR-RBS-200800552-1

February 13, 2008 Notice of Violation states that the Inspector observed an individual working while the shop license was expired. Shop has since made license current.

Recommendation: Issue a letter of warning

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to accept the recommendation. Motion carried unanimously.

4. Case No. L-07-BAR-RBS-200708336-1

September 5, 2007 Notice of Violation indicates multiple violations:

- 1) No licensed manager on duty at inspection time
- 2) Unlicensed employee providing services at inspection time
- 3) One employee has a cosmetology license posted in barbering salon
- 4) Shop and restroom in need of cleaning
- 5) Shop license expired as of May 31, 2007

Recommendation: Formal hearing with authority to settle by Consent Order of \$2,750.00

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

5. Case No. L-07-BAR-RBS-200708342-1

October 2, 2007 Notice of Violation provides that the shop owner was observed working at inspection time with a license that was expired as of April 30, 2005.

Recommendation: Formal hearing with authority to settle by Consent Order of \$1,500

BOARD: Formal hearing with authority to settle by Consent Order and civil penalty of \$1,500

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

6. Case No. L-08-BAR-RBS-200800203-1

January 12, 2008 Notice of Violation provides that an instructor was observed providing services to a client.

Recommendation: Issue a CEASE AND DESIST/warning letter

BOARD: Also issue a \$500.00 civil penalty and formal hearing was authorized

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

7. Case No. L-08-BAR-RBS-200800157-1

January 2, 2008 Notice of Violation provides that Inspector observed an individual working while the shop license was expired. The shop license remains delinquent as of this date

Recommendation: CEASE AND DESIST letter. Formal hearing with authority to settle by Consent Order of \$1,000

BOARD: Also issue a letter advising that shop must be licensed by April 1, 2007 or the shop will be ordered to close.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

8. Case No. L-07-BAR-RBS-200708855-1

November 17, 2007 Notice of Violation provides that the Inspector observed an unlicensed individual working at inspection time. The individual has passed the theory portion of the exam.

Recommendation: Issue a CEASE AND DESIST letter. Formal hearing with authority to settle by Consent Order of \$500.00

BOARD: Impose a probationary period if the individual becomes eligible for a license.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

9. Case No. L-05-BAR-RBS-200501141-1

This barber shop licensee is now closed for business.

Recommendation: Dismiss

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

10. Case No. L-06-BAR-RBS-200601084-1

This barber school licensee is now closed for business.

Recommendation: Dismiss

MOTION was made by Mr. Cecil Groce and seconded by Mr. JaSanto Williams to accept the recommendation. Motion carried unanimously.

11. Case No. L-06-BAR-RBS-200603688-1

Last Notice of Violation dated September 15, 2006 states that the Inspector observed the shop manager practicing with an expired license and one other individual practicing barbering without an active master barber license. Manager now has a current license.

Recommendation: Dismiss and re-inspect

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to accept the recommendation. Motion carried unanimously.

12. Case No. L-06-BAR-RBS-200604601-1

Last Notice of Violation dated December 1, 2006 states that licensee relocated shop without prior notification to the Board. Shop now has an active, valid license at its new location.

Recommendation: Dismiss and re-inspect

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

13. Case No. L-06-BAR-RBS-200603687-1

Last Notice of Violation, dated September 15, 2006, cited unlicensed activity. The previously unlicensed individual has since become licensed subject to Board-mandated probation.

Recommendation: Dismiss and re-inspect

MOTION was made by Mr. Cecil Groce and seconded by Mr. JaSanto Williams to accept the recommendation. Motion carried unanimously.

14. Case No. L-05-BAR-RBS-200501133-1

Last Notice of Violation, dated August 20, 2004, cites practice of barbering with expired personal and shop licenses. The personal license is now valid.

Recommendation: Dismiss and re-inspect

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

15. Case No. L-05-BAR-RBS-200501086-1

2005 Consumer complaint alleged that treatment she received a licensee shop caused her to sustain chemical burns and swelling on her scalp on forehead. A private personal injury claim was pending against the licensee. Licensee currently has an active shop license.

Recommendation: Dismiss and re-inspect

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

16. Case No. L-07-BAR-RBS-200708742-1

November 21, 2007 Notice of Violation cites expired shop license. Shop license is now current.

Recommendation: Close with a letter of warning

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

17. Case No. L-06-BAR-RBS-200604193-1

This barber shop licensee is now closed for business.

Recommendation: Dismiss

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

OTHER BUSINESS

The board has not held elections. The board stated that they would leave the officers as is.

MOTION was made by Mr. Vernon Winfrey and seconded by Mr. Cecil Groce to leave the officers as is. Motion carried unanimously.

J. B. Loring, Chairman asked the Ms. Waller to look into having the regional meeting in East and West Tennessee. Chairman Loring stated the meetings always had great attendance.

Ms. Carla King in the audience asked the board if dust busters are legal or illegal. Ms. King stated that with the concern of germs should they be illegal. The board stated they would take this under advisement and consider a rule change concerning this issue.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to adjourn the meeting. Motion carried unanimously.